

REMARKS

Applicant cancels claims 19-23 without prejudice. Claims 1-18 remain pending in the application. Applicant amends claims 1, 3, 12, and 17 for further clarification, and refers to page 11, line 6 et seq. of the specification for exemplary embodiments of and support for the claimed invention. No new matter has been added.

The Examiner objected to the specification—and correspondingly, claims 19 and 21—for improper claim terms. Applicant cancels claims 19 and 21 without prejudice.

Claims 1, 5-6, 10-13, and 16-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,351,733 to Saunders et al.; claim 19 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Saunders et al.; claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Saunders et al. in view of U.S. Patent No. 5,293,450 to Kane et al.; claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Saunders et al. in view of U.S. Patent No. 5,774,857 to Newlin; claims 8, 15, and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Saunders et al. in view of U.S. Patent No. 5,506,932 to Holmes et al.; claims 9 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Saunders et al. in view of U.S. Patent No. 5,680,512 to Rabowsky et al.; and claims 3-4 and 20-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Saunders et al. in view of U.S. Patent No. 6,104,861 to Tsukagoshi, and further in view of U.S. Patent Application Publication No. 2001/0012444 to Ito et al. Applicant cancels claims 19-23 without prejudice, and amends claims 1, 3, 12, and 17 in a good faith effort to further clarify the invention as distinguished from the cited references. Applicant respectfully traverses the rejections of the pending claims.

The Examiner cited Saunders et al. as the principal reference that allegedly discloses the main features of the claimed invention. Saunders et al. only describe, however, techniques for storing or transmitting combined components. And, thus, Saunders et al., as

cited and relied upon by the Examiner, fail to disclose or suggest the claimed features of separately encapsulating speech and music components along with synchronization information into respective packets suitable for transmission over a packet network.

In other words, Saunders et al., as cited and relied upon by the Examiner, fail to disclose or suggest,

“[a] system providing low bit-rate compression of data comprising speech and music components for transmission, over a network, said system comprising:

a. a speech encoder encoding said speech component via a first encoding algorithm and encapsulating said encoded speech component along with synchronization information into a speech packet suitable for transmission over a packet network;

b. a music encoder encoding said music component via a second encoding algorithm, said second encoding algorithm different from said first encoding algorithm, and encapsulating said encoded music component along with synchronization information into a music packet suitable for transmission over the packet network,

wherein said first and second encoding algorithms are chosen to allow for low bit-rate compression of speech and music respectively,” as recited in claim 1. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 1, together with claims 5-6 and 10-11 dependent therefrom, is patentable over Saunders et al. for at least the foregoing reasons. Claims 12 and 17 incorporate features that correspond to those of claim 1 cited above, and are, therefore, together with claims 13 and 16 dependent from claim 12, patentable over Saunders et al. for at least the same reasons.

The Examiner cited combining references to specifically address the additional features recited in dependent claims 2-4, 7-9, 14-15, and 18, respectively. As such, combinations with these references would still have failed to cure the above-described deficiencies of Saunders et al., even assuming, arguendo, that such combinations would have been obvious to one skilled in the art at the time the claimed invention was made.

Accordingly, Applicant respectfully submits that claims 2-4, 7-9, 14-15, and 18, which

depend from claims 1, 12, and 17, respectively, are patentable over the cited references for at least the above-stated reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Dexter T. Chang/

Dexter T. Chang

Reg. No. 44,071

CUSTOMER NUMBER 026304

Telephone: (212) 940-6384

Fax: (212) 940-8986 or 8987

Docket No.: RAD 19.779 (100757-00082)